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PATENT APPLICATION

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bendele, et al.

Serial No.: 10/621,784

Group Art Unit No.: 1649

Filed: July 16, 2003

Examiner: Christina Borgeest

For: USE OF IL-1 INHIBITORS FOR TREATING IL-1 MEDIATED DISEASES

Docket No.: A-398-US-CNT3

INFORMATION DISCLOSURE STATEMENT**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir: Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on the enclosed Modified Form PTO-1449. This information Disclosure statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first office action on the merits for the above-identified application.

In accordance with 37 CFR 1.98(d), copies of the patents, publications, pending U.S. applications, or other information listed in this information disclosure statement (Cite Nos. A001 - A011; B001 - B024; C001 - C068) are not required to be provided and are not enclosed because they were previously cited by or submitted to the Office in prior applications Serial No. 09/326,260 filed June 4, 1999 or Serial No. 10/265,037 filed October 4, 2002. The present application is a continuation of Serial No. 10/265,037 (abandoned) which is a continuation of Serial No. 09/326,260 (abandoned) which are relied upon for earlier filing dates under 35 USC 120.

The Canadian patent application B027 was cited in the Canadian counterpart application in an Office Action dated July 12, 2006 by the Canadian Patent Office. The additional references B025, B028 and C069 - C071 were cited in a counterpart Japanese application Office Action with a mailing date of January 31, 2006. Reference B025 is a non-English Japanese national phase PCT publication corresponding to WO 89/11540. Reference B028 is a non-English laid open Japanese patent publication with an English abstract. Copies of B025 to B028 and C069 to C071 are enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the enclosed form. Applicants make no determination of the relevancy with respect to the references submitted herewith and request Examiner to make an independent determination of relevance and/or materiality of the references.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Karen Podgorny

Printed Name

Signature

documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present invention.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 01-0519.

Respectfully submitted,



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